

ENTERED

August 29, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

TYSON DOOLEY, individually and on
behalf of all other similarly situated,

Plaintiff,

VS.

NINE ENERGY SERVICE, LLC,

Defendant.

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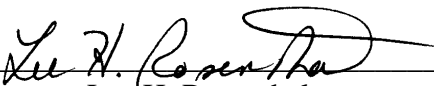
CIVIL ACTION NO. H-15-02433

ORDER

The plaintiffs filed a response in opposition to Nine's motion to delay partial summary judgment on specific affirmative defenses. According to the response, Nine has two more depositions to take. If, as the plaintiffs expect, and as Nine has done with respect to other deposed plaintiffs, that leads to an agreed withdrawal of the defenses, there appears to be little risk of disproportionate or excessive discovery or unnecessary motions practice. Nine is fully familiar with the requirements of Fed. R. Civ. P. 11, 26(b)(1), and 26(g), which preclude its insistence on groundless affirmative defenses.

The court's prior ruling is unchanged as a result of the response.

SIGNED on August 29, 2016, at Houston, Texas.



Lee H. Rosenthal
United States District Judge